

Court of Appeals, State of Michigan

ORDER

In re A Trottier

Docket No. 306995

LC No. 08-478132

Kurtis T. Wilder
Presiding Judge

Kirsten Frank Kelly

Michael J. Riordan
Judges

Although appointed appellate counsel did not file respondent's application within 63 days from the August 16, 2011, order terminating his parental rights, this Court did not dismiss the application due to the lower court's delay in the appointment of counsel. See MCR 3.993(C)(2) and MCR 7.205(F)(6). Respondent's untimely request for appointment of appellate counsel was made on September 27, 2011, which was before the 63-day period expired. However, the lower court did not appoint appellate counsel until October 28, 2011, who then could not file the application within 63 days from the order. Therefore, this Court has reviewed the merits of the issues presented.

The Court orders that the application to take a delayed appeal is DENIED for lack of merit in the grounds presented.

The motion to compel production of the transcripts is DENIED AS MOOT.



A true copy entered and certified by Larry S. Royster, Chief Clerk, on

MAY 03 2012

Date

Larry S. Royster
Chief Clerk